

UNITED STATES DISTRICT COURT

for the

Eastern District of Pennsylvania

Case No. _____

(to be filled in by the Clerk's Office)

CRAIG ALFORD

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v- DAVID PENCHENSHIL
EDWARD J. BOSCOLO, DEPUTY WARDEN
of CUNEIFUNCTION, GRIEVANCE
SUPERVISOR; CPT. COLLINS; GARRY
HADGE

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

JURY TRIAL DEMAND
By Plaintiff

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS

(Prisoner Complaint)

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

CRAIG ALFORD

All other names by which
you have been known:

ID Number

30235

Current Institution

NCP

Address

6606 WALNUT ST.EASTONPA18042

City

State

Zip Code

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. Make sure that the defendant(s) listed below are identical to those contained in the above caption. For an individual defendant, include the person's job or title (*if known*) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name

DAVID PECHESHAJob or Title (*if known*)WARDEN

Shield Number

N/A

Employer

NORTHAMPTON COUNTY JAIL

Address

6606 WALNUT ST.EASTONPA18042

City

State

Zip Code

☒ Individual capacity☒ Official capacity**Defendant No. 2**

Name

GARRY HADUEJob or Title (*if known*)WARDEN

Shield Number

N/A

Employer

MONROE COUNTY JAIL

Address

4250 MAJOR DRIVESTRAUSBURGPA18260

City

State

Zip Code

☒ Individual capacity☒ Official capacity

Defendant No. 3

Name

Job or Title (if known)

Shield Number

Employer

Address

EDWARD J. BOSCOLO
 REPRESENTATIVE - JAIL ADVISORY BOARD
 N/A
 NORTHAMPTON COUNTY JAIL
 666 WARDEN ST.
 EUSTON PA 18042
 City State Zip Code
☒ Individual capacity ☒ Official capacity

Defendant No. 4

Name

Job or Title (if known)

Shield Number

Employer

Address

JANE/JOHN DOE - SIGNATURE UNRECOGNIZABLE
 DEPUTY WARDEN OF CLASSIFICATION
 N/A
 NORTHAMPTON COUNTY JAIL
 666 WARDEN ST.
 EUSTON PA 18042
 City State Zip Code
☒ Individual capacity ☒ Official capacity

NOTE: SEE SIGNATURE OF MDP FORM 170 AND NOONE
 (STAFF) WOULD THEN MEET THE DATE

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

- ☐ Federal officials (a *Bivens* claim)
☒ State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

I'M STATING A 1ST AMENDMENT RETALIATION
 CLAIM AGAINST THESE OFFICIALS RESULTING IN BOTH
 AMENDMENT CRUEL AND UNUSUAL PUNISHMENT. I HAD
 A RIGHT TO NOT BE RETALIATED UPON FOR EXERCISING MY RIGHTS

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

CONT. (B)

DEFENDANT NO. 5

NAME: JANE/JOHN DOE - SIGNATURE UNLEGIBLE

JOB: GRIEVANCE SUPERVISOR

SHIELD #: N/A

EMPLOYER: NCP

INDIVIDUAL/OFFICIAL CAPACITY

ADDRESS: 666 WALNUT ST

EASTON, PA 18042

NOTE: SEE SIGNATURE OF NCP FORM - ICA AND NAME WILL TELL
ME THE NAME

DEFENDANT NO. 6

NAME: CAPT. DAVID C. COLLINS, SR.

JOB: ADMINISTRATOR OF SECURITY

SHIELD: #4

EMPLOYER: NCP

INDIVIDUAL/OFFICIAL CAPACITY

ADDRESS 666 WALNUT ST.

EASTON, PA 18042

CONT. II
(D)

ASK NUMEROUS TIMES TO GARRY HANCOCK AND WARREN
PELOUSEY WHO ACTED UNDER COLOR OF LAW AND
DIDN'T RESPOND AT ALL, I FILED A SUIT (C) AFTER V.
PELOUSEY #122 MIDDLE DISTRICT I ALSO WROTE CAPT.
COLLINS WHO ACTED UNDER COLOR OF LAW AND ALSO
DENIED ME RESUME ON MY BE HALF. RETALIATED AGAIN
(SEE EXHIBIT (D))

- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

(SEE EXHIBIT 4) EXPLAINING THIS UNCONSTITUTIONAL RETALIATION TRANSFER, THE GRIEVANCE SUPERVISOR ACTED UNDER COLOR OF LAW AND DENIED MY CLAIMS, I APPEALED (SEE EXHIBIT 5) THE DEPUTY WARDEN OF CLASSIFICATION ACTED UNDER COLOR OF LAW AND DENIED MY CLAIM, I APPEALED (SEE EXHIBIT 6) THEN THE JAIL ADVISORY BOARD DENIED MY CLAIM ACTING UNDER COLOR OF LAW, I HAVE

III. Prisoner Status

Indicate whether you are a prisoner or other confined person as follows (check all that apply):

- ☒ Pretrial detainee
☐ Civilly committed detainee
☐ Immigration detainee
☐ Convicted and sentenced state prisoner
☐ Convicted and sentenced federal prisoner
☒ Other (explain) CASE OUT OF MONROE / NOT NORTHAMPTON

IV. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. If the events giving rise to your claim arose outside an institution, describe where and when they arose.

ON ~~10/13/20~~ 10.9.2020
 MY CLAIM AROSE BY GARRY HADIE WHO TRANSFERRED ME OUT OF MONROE COUNTY - GENERAL POP C-PD #32 AND TRANSFERRED ME TO MCP BECAUSE I WAS EXERCISING A FEDERALLY PROTECTED RIGHT - ACCESS TO COURT

- B. If the events giving rise to your claim arose in an institution, describe where and when they arose.

PER EXHIBIT "E" SINCE I CAME INTO THE FACILITY I'VE BEEN NOTIFYING THESE OFFICIALS OF THIS RETALIATION TRANSFER AND MY CLAIMS OF 1ST AND 2ND RETALIATION STARTED WHEN MONROE MCP WANTED TO TAKE A BLIND EYE TO REMEDY SINCE 10.13.20

ON (2) OCCASIONS I WROTE CAPTAIN COLLINS THAT MY
 TRIP TO THE TAIL IS DISCRIMINATORY AND
 PRISON OFFICIALS WILL FAIL TO SHOW A LEGITIMATE
 INTEREST THAT JUSTIFIED THE TRIP BECAUSE I
 WAS FOLLOWING THE RULES AND WAS NOT A SECURITY
 RISK AND I'M TRAINED FOR USING GRIEVANCE
 SYSTEM, ADDRESSING OTHER ISSUES AND IT WAS UNCONSTITUTIONAL
 TO TRIP ME AND I'M ENTITLED TO RELIEF TO
 BE AVOIDED CONSPIRACY AND PUNITIVE DAMAGES
 ALL BECAUSE I EXERCISE MY CONSTITUTIONAL RIGHTS
 AND THAT DECISIONS DID NOT CONSIDER MY RIGHTS
 IN LITIGATION ALL FOR OUTSTANDING CORRESPONDENCE
 I HAD A RIGHT TO SEND THAT THE TRIP WAS
 MOTIVATED BY ENMITY AND RECKLESS OR
 CALLS INDIFFERENT TO FEDERAL PROTECTED
 RIGHTS TO THE BEST OF MY LOCK UP WHEN
 I WAS GEN. POP (C) MAILED THAT I WAS EXERCISING
 IN PROTECTED COLOR, HAIR, POLYMER AND THE
 INSTITUTION TAKING ADVERSE ACTION AGAINST ME,
 THERE'S A CLEAR VIOLATION BETWEEN THESE
 ELEMENTS MAKING A SHOWING OF U.S. CONSP.
 AGAINST. I RECALLED THAT CAPT. COLLINS
 DENIED ME RELIEF AND I TOLD HIM I WROTE HIM
 BUT NO COPY, I DON'T AGREE TO BEING COERCED
 HERE ON NOV. 18 I TOLD HIM VERBALLY AND ONLY
 EXHIBIT (D) TO US AGED UNDER COLOR OF LAW AND
 ALL THESE AUTHORITIES (D) OF RECORD
 MY 18. ANNO RETALIATION CLAIM, BUT DID NOTHING
 BUT DENY ME RELIEF

C. What date and approximate time did the events giving rise to your claim(s) occur?

OCTOBER 9, 2020 @ 8AM WHEN I WAS TRANSFERRED TO NCD FROM MONROE COUNTY BY HOXCHANDLER STRUTTS

D. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

I WAS PURSUING THE COURT @ COM. V. ALFORD, 929-2020, ALFORD V. HADGE, #1427, LORA, et al. V. BAYLOR, #1787, AND WAS WRITING NAACP, U.S. D.O.J., I.A., FBI, ACLU, JUDICIARY BOARD, AND THE MEDIA OF THE UNCONSTITUTIONAL ACTIONS OF HADGE, BAYLOR, SGT. ARMOUR, AND HADGE WHO WAS CONSPIRING TO VIOLATE CIVIL RIGHTS AND AFTER SERVING ON 10.8.20 TO AD 399 LEADER OF THE SERVICE OF SURVIVORS TO DEFENDANTS WHO TRIED TO

V. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

I KE TALKED TO THE PSYCHIATRIST JACKIE AT NCD ABOUT THIS WHO HAS ALSO SENT AN EMAIL TO DANN PEICHSHED, I'M TAKING VISOR NOW AND THIS "GIRL ABUSE" IS JUST MUCH, I CANNOT EVEN BECA DEEPLY PEN FOR THE PEOPLE MESSING WITH MY MIND AND LOCKING ME DOWN

VI. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

FUR DEFENDERS TO PAY FOR THE COST OF THIS CIVIL ACTION... TO HAVE ME TRANSFERRED BACK TO MONROE COUNTY GEN POP CELL #22 C.POD WHERE I WAS BEFORE THIS UNCONSTITUTIONAL TRANSFER... 710,000 IN COMPENSATORY AND 710,000 IN PUNITIVE DAMAGES FROM ~~DEFENDERS~~ HADGE, PEICHSHED, BOSCOLO, CAPT. COLLINS, DEPUTY WARDEN JOSEPH FOR DEPUTY WARDEN OF CUSTODIAL, JEROME FOR GRIEVANCE SUPERVISOR WHOSE NAME ASK FOR (OFFICE DANCE, COLLINS, INMATES) + DON'T KNOW

OR WAITING FOR THE COURT TO DECIDE THIS

Cont. IV

Return to me and I instructed to seek their counsel
 on 10.9.20 I was transferred to Northampton County
 Jail by Warden HADDE as this was nothing but a
 1st Aired. RETALIATION THREAT SO I wrote MR HADDE
 numerous letters stating its unconstitutional to punish/
 transfer for exercising ones FREE RIGHTS AND THAT
 HE CANNOT ABIDGE OR IMPAIR A PRISONERS RIGHT TO THE
 COURT AS IT WAS HIS RIGHT (P. LORA, et al. BAYLOR, et al.
 #1787. on 10.13.20 I wrote WARDEN PECHISHEL A
 LETTER AND NUMEROUS REMINDERS ABOUT THIS 1st Aired.
 RETALIATION CLAIM BUT I DID NOT GET A REPLY AND TILL
 ON DEATH EXP. ON OCT. 24 (EXHIBIT A) I FILED A GRIEVANCE
 NOTIFYING WCP AUTHORITIES THAT MY TRANSFER WAS A
 RETALIATION SEEKING REFS, ON OCT. 26 THE GRIEVANCE
 SUPERVISOR VITBURY/ STATED MY MATTER CANNOT (PUNISHABLE
 ACTING UNDER COLOR OF LAW SO I APPEALED ON 10.30.20
 (SEE EXHIBIT "B") AGAIN ABOUT MY 1st Aired RETALIATION
 CLAIM THAT I'M NOT SUPPOSE TO BE HERE THAT HADDE IS
 CONSPIRING WITH PECHISHEL RETALIATION AND THATS WHY HE
 FOR EXERCISING THE RIGHT TO ACCESS TO THE COURT AND
 THAT THERE WILL BE NO IMMUNITY/ DEFENSE IF THEY
 DO NOT TRANSFER US BACK SEEKING REFS AND ON
 NOV 6 DEPUTY WARDEN OF CLASSIFIED DEPT. ME PULPS
 ACTING UNDER COLOR OF STATE LAW. ON 11.8.20 I APPEALED
 TO THE FINAL LEVEL (TO WHATEVER) GOVERNING MY 1st
 Aired RETALIATION LIT (SEE EXHIBIT "C") THAT I AM A
 U.S. CITIZEN, PRETRIAL DECREE AND SHOULD BE
 RETURNED TO MORGAN AND I SUFFER DAMAGE/ REFS
 AND ON NOV 24 EDWARD J. BOSCOLA ACTING UNDER
 COLOR OF LAW DENIES ME GIVING CARE AND OF
 THEN NOT BEING PROTECTED IMMUNITY AND MR.
 BOSCOLA DENIED ME REFS. WHEN EXHIBITED MY
 GRIEVANCE PROPOS (SEE EXHIBIT "E")

VII. Exhaustion of Administrative Remedies Administrative Procedures

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted."

Administrative remedies are also known as grievance procedures. Your case may be dismissed if you have not exhausted your administrative remedies.

A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

☒ Yes

☐ No

If yes, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

MONROE COUNTY JAIL THE
NORTHAMPTON COUNTY WHERE I AM NOW
ON 10.9.20

B. Does the jail, prison, or other correctional facility where your claim(s) arose have a grievance procedure?

☒ Yes

☐ No

☐ Do not know

C. Does the grievance procedure at the jail, prison, or other correctional facility where your claim(s) arose cover some or all of your claims?

☒ Yes

☐ No

☐ Do not know

If yes, which claim(s)?

ALL CLAIMS ISE AND
SEX AND VIOLATIONS

- D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose concerning the facts relating to this complaint?

☒ Yes

☐ No

If no, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

☐ Yes

☐ No

- E. If you did file a grievance:

1. Where did you file the grievance? TO WARDEN HADLE @ MD. ROE COUNTY BUT NO RESPY @ NORFOLK COUNTY JAIL (SEE EXHIBIT A-E) (E) BEING SCARED TAKEN TO EXHAUST
2. What did you claim in your grievance? I STATED A RETALIATION CLAIM, THAT I SHOULD NOT BE HERE BECAUSE I EXERCISE A RIGHT TO ACCESS TO THE COURT TO TRANSFER ME BACK BECAUSE OF THIS UNLAWFUL TRANSFER, 7/10/20 IN COMPENSATORY, \$10,000 IN PUNITIVE DAMAGES
3. What was the result, if any? GRANTED IMMUNITY / ALL WILL NOT BE PROSECUTED BY.

DEINED AT ALL LEVELS

4. What steps, if any, did you take to appeal that decision? Is the grievance process completed? If not, explain why not. (Describe all efforts to appeal to the highest level of the grievance process.)

I APPEALED TO A FINAL DECISION BY THE JAIL ADVISORY BOARD, ALL APPEALS ENCLOSED AS EXHIBIT A-E ATTACHED THAT I EXHAUSTED... THE GRIEVANCE PROCESS IS COMPLETED... SEE ENCLOSURES

F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here:

2. If you did not file a grievance but you did inform officials of your claim, state who you informed, when and how, and their response, if any:

G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies.

SEE ENCLOSURES, AND I ALSO TRIED
AND SOUGHT HELP WITH CPC CALLS
AND "HIGH 12" NOTIFICATIONS ARE BEING

(Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.)

HIGH 12 A-F PROVIDED

EXHAUSTION OF ADMINISTRATIVE
REMEDIES

VIII. Previous Lawsuits

The "three strikes rule" bars a prisoner from bringing a civil action or an appeal in federal court without paying the filing fee if that prisoner has "on three or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury." 28 U.S.C. § 1915(g).

To the best of your knowledge, have you had a case dismissed based on this "three strikes rule"?

☐ Yes

☒ No

If yes, state which court dismissed your case, when this occurred, and attach a copy of the order if possible.

IX. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 12/1/20

Signature of Plaintiff

Printed Name of Plaintiff

Prison Identification #

Prison Address

Craig Alford
CRIG ALFORD
30325
6066 Walnut St.
PERON PA 18042
City State Zip Code

B. For Attorneys

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

City State Zip Code

Telephone Number

E-mail Address

